

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

TRIGINAL D. JACKSON,

Plaintiff,

vs.

No. CIV-08-1108 WJ/LAM

TOMMY VALDEZ, et al.,

Defendants.

**ORDER DENYING WITH PREJUDICE MOTION TO COMPEL DISCOVERY (Doc. 63)**

**THIS MATTER** is before the Court on Plaintiff's *Motion to Compel Discovery (Doc. 63)*, filed April 26, 2011. Plaintiff asks the Court to compel Defendants to respond to his first set of requests for admissions which he states he e-mailed to Defendants on March 25, 2011. [*Doc. 63*]. On March 16, 2011, the Court ordered Plaintiff to submit in writing within ten days what discovery Plaintiff had already requested that the Defendants provide. [*Doc. 55* at 28 and 30]. Plaintiff did not submit that information to the Court and, on April 1, 2011, the Court held that it would not extend the discovery deadlines in this case. [*Doc. 59* at 2]. Discovery terminated in this case on July 20, 2009 (*Doc. 28* at 1), and Plaintiff states that he sent his first set of requests for admissions to Defendants on March 25, 2011, (*Doc. 63*), clearly outside the deadlines for discovery. Moreover, Plaintiff's motion does not comply with Local Rule 37.1, whereby Plaintiff must attach to his motion to compel "a copy of . . . the . . . request for admission[] and response or objection thereto." D. N.M. LR-Civ. 37-1. Because Plaintiff's requests for admissions were made outside of the discovery deadlines and the Court has already held that it will not extend the discovery deadlines in this case, the Court finds that Plaintiff's motion is not well-taken and shall be **DENIED with prejudice.**

**IT IS THEREFORE ORDERED** that Plaintiff's *Motion to Compel Discovery* (Doc. 63) is **DENIED** with prejudice.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
**LOURDES A. MARTÍNEZ**  
**UNITED STATES MAGISTRATE JUDGE**